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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/612,029

07/01/2003

Jerry Wu

5859

25859

7590

11/01/2004

WEI TE CHUNG  
FOXCONN INTERNATIONAL, INC.  
1650 MEMOREX DRIVE  
SANTA CLARA, CA 95050

EXAMINER

GILMAN, ALEXANDER

ART UNIT

PAPER NUMBER

2833

DATE MAILED: 11/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/612,029

Applicant(s)

WU, JERRY

Examiner

Alexander D Gilman

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 01 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,5,9-11,13, 14 and 15 is/are rejected.
- 7) ☒ Claim(s) 3,4,6-8,12 and 16-18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 07/01/2003.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION*****Double Patenting***

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 1, 5, 9, 10, 13, 14 are rejected under the judicially created doctrine of double patenting over claims 1-3 of U. S. Patent No. 6793,910 since the claims, if allowed, would improperly extend the "right to exclude" already granted in the patent.

The subject matter claimed in the instant application is fully disclosed in the patent and is covered by the patent since the patent and the application are claiming common subject matter, as follows: an insulating housing; a plurality of first and second modules (since it is not claimed that modules have differences); grounding plates; a cover; fastening elements

Claim 11 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-3 of U.S. Patent No. 6,739,910 in view of (US 6,757,177).

U.S. Patent No. 6,739,910 disclose all of the limitations except for a single-ended coaxial cable comprising an insulated conductive core, a metal braid surrounding the insulated conductive core, and a jacket outside the metal braid, and wherein each second cable comprises a differential pair of wires and a grounding wire.

Harris et al (US 6,757,177) disclose (col. 5, lines 29-33) high-speed module and low-speed modules being stacked.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to arrange the low-speed module and low-speed module juxtaposed staggeredly, as taught by Harris et al, to consolidate transferring low-speed and high-speed signals through one connector.

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Inherently the low speed module would be connected with a single-ended coaxial cable and the high speed module would be connected with a balanced cable (For example, US 6,752,633, Fig. 4; and US 6,468,110, Fig. 9).

Furthermore, there is no apparent reason why applicant was prevented from presenting claims corresponding to those of the instant application during prosecution of the application which matured into a patent. See *In re Schneller*, 397 F.2d 350, 158 USPQ 210 (CCPA 1968). See also MPEP § 804.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Miskin et al.

Miskin et al (US 6,217,364) disclose a cable assembly comprising:

an insulating housing (24) defining a plurality of channels; and

a plurality of first (38) and second (38 –since it is not claimed that the first and second modules are different circuit modules juxtaposed staggeredly in the

housing, each first circuit module comprising a first circuit board received in a

corresponding channel of the housing and a plurality of first cables (36) connecting to

the first circuit board, each second circuit module comprising a second circuit

board received in a corresponding channel of the housing and a plurality of second

cables (36) connecting to the second circuit board.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Paagman.

Paagman (US 6,102,747) discloses a cable assembly comprising:

an insulating housing (110) defining a plurality of channels; and

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a plurality of first (22) and second (22 –since it is not claimed that the first and second modules are different circuit modules juxtaposed staggeredly in the housing, each first circuit module comprising a first circuit board received in a corresponding channel of the housing and a plurality of first cables (106) connecting to the first circuit board, each second circuit module comprising a second circuit board received in a corresponding channel of the housing and a plurality of second cables (106) connecting to the second circuit board.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miskin et al in view of Harris et al..

Miskin et al disclose all of the limitations except for a single-ended coaxial cable comprising an insulated conductive core, a metal braid surrounding the insulated conductive core, and a jacket outside the metal braid, and wherein each second cable comprises a differential pair of wires and a grounding wire.

Harris et al (US 6,757,177) disclose (col. 5, lines 29-33) high-speed module and low-speed modules being stacked.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to arrange the low-speed module and low-speed module juxtaposed staggeredly, as taught by Harris et al, to consolidate transferring low-speed and high-speed signals through one connector. Inherently the low speed module would be connected with a single-ended coaxial cable and the high speed module would be connected with a balanced cable (For example, US 6,752,633, Fig. 4; and US 6,468,110, Fig. 9).

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Claims 2,5, 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paagman in view of Harris et al..

With regard to claim 2, Paagman disclose all of the limitations except for a single-ended coaxial cable comprising an insulated conductive core, a metal braid, surrounding the insulated conductive core, and a jacket outside the metal braid, and wherein each second cable comprises a differential pair of wires and a grounding wire.

Harris et al (US 6,757,177) disclose (col. 5, lines 29-33) high-speed module and low-speed modules being stacked.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to arrange the low-speed module and low-speed module juxtaposed staggeredly , as taught by Harris et al , to consolidate transferring low-speed and high-speed signals through one connector.

Inherently the low speed module would be connected with a single-ended coaxial cable and the high speed module would be connected with a balanced cable (For example, US 6,752,633, Fig. 4; and US 6,468,110, Fig. 9).

With regard to claim 5, Paagman disclose the second circuit module comprises a cable clamp (104) bonding the second cables and a second planar grounding plate (100).

With regard to claim 15, Paagman disclose all of the limitations except for a plurality of juxtaposed first and second printed circuit boards mixed up and alternately, in a predetermined format, and sets of the of cables being grouped, according to the electrical characters thereof.

Harris et al disclose (col. 5, lines 29-33) high-speed module and low-speed modules being stacked, which respectively require sets of the of cables being grouped, according to the electrical characters thereof.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to arrange the low-speed module and low-speed module juxtaposed staggeredly , as taught by Harris et al , to consolidate transferring low-speed and high-speed signals through one connector.

***Allowable Subject Matter***

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Claims 3,4,6-8, 12, 16-18 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

No prior art has been found to anticipate or render obvious the presently claimed subject matter.

Specifically, none of the prior art of record discloses the combination of the limitations presented including the cable clamp bonding the first cables and a first grounding plate having a plurality of tabs and wherein the first circuit board defines a plurality of through holes receiving the plurality of tabs (claim 3); each circuit board of the first circuit modules defining a plurality of cavities and the first grounding plate having a plurality of tabs extending from a periphery thereof and retained in corresponding cavities of the circuit board (claim 12).

the set of the first sets of cables is of single-ended cables and divided into four groups, while said set of the second sets of cables is of differential pairs cables and divided into five groups (claim 16).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander D Gilman whose telephone number is 571 272-2004. The examiner can normally be reached on Monday-Friday, 10:30 a.m. - 8:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on 571 272-2800 ext. 33. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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10/26/2004

*Alex Gilman*  
**ALEXANDER GILMAN**  
**PRIMARY EXAMINER**